

S&H Form: (06/05)

<b>RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)</b>	Attorney Docket No.	1454.1646
	Application Number	10/557,247
	International Filing Date	April 30, 2004
	First Named Inventor	Toby PROCTOR
	Group Art Unit	

Title:	METHOD OF OPERATING A MBMS (MULTIMEDIA BROADCAST MULTICAST SERVICE) FOR A MOBILE STATION ACCORDING TO THE POSITION OR SIGNAL QUALITY
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Pursuant to 35 U.S.C. 371, and in response to the "Notification of Missing Requirements under 35 U.S.C. 371" mailed \_August 30, 2006\_ for the above-identified application, enclosed are the following:

- ☒ RETURN COPY of Notification of Missing Requirements under 35 U.S.C. 371.
- ☒ Executed Combined Declaration/Power of Attorney. The undersigned registered attorney states that the subject application is the application, which the inventor(s) executed by signing the attached Declaration.
- ☐ English-language translation of application.
- ☐ Verified Statement Claiming Small Entity Status.

Enclosed, pursuant to 37 CFR §1.492, is payment of the following:

- ☐ The additional claim(s) fee ( claims over 20) \$
- ☐ The additional independent claim(s) fee ( claims over 3) \$
- ☐ Multiple dependent claims \$
- ☒ Surcharge for late filing of Declaration \$130.00
- ☐ English language translation fee \$
- ☐ Petition for Extension of Time ( -month)\* \$

**SUBTOTAL FEES:** \$ 130.00

- ☐ Reduction by 50% for filing by small entity

**SUBTOTAL FEES:** \$ 130.00

- ☐ Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date \$

**TOTAL FEES DUE:** \$ 130.00

09/21/2006 GFREY1 00000094 10557247

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\*Since the Notification of Missing Requirements under 35 USC 371 set an original due date of \_\_, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$120)); (2 months (\$450)); (3 months (\$1,020)); (4 months (\$1,590)); (5 months (\$2,160)):

**METHOD OF PAYMENT**

- ☒ Check enclosed as payment.  
☐ Charge "TOTAL FEES DUE" to the Deposit Account No. 19-3935, below.

**AUTHORIZATION**

- ☒ If the above-noted amount enclosed is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to maintain pendency of the present application to:

Deposit Account No.: 19-3935

Deposit Account Name: STAAS & HALSEY LLP

**SUBMITTED BY: STAAS & HALSEY LLP**

Typed Name	Richard A. Gollhofer	Reg. No.	31,106
Signature	<i>Richard A. Gollhofer</i>	Date	9/18/06

PAG

missing Reg: 10-30-06



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/557,247	Toby Proctor	1454.1646

INTERNATIONAL APPLICATION NO.
PCT/GB04/01876

I.A. FILING DATE	PRIORITY DATE
04/30/2004	05/16/2003

Staas n& Halsey  
Suite 700  
1201 New York Avenue N W  
Washington, DC 20005

CONFIRMATION NO. 7014

371 FORMALITIES LETTER



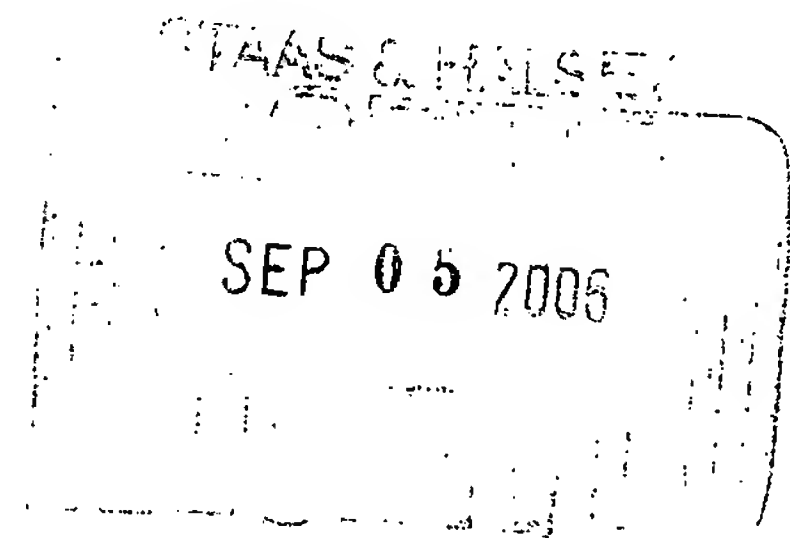
\*OC000000020226239\*

Date Mailed: 08/30/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 11/16/2005
- Copy of the International Search Report filed on 11/16/2005
- Copy of IPE Report filed on 11/16/2005
- Preliminary Amendments filed on 11/16/2005
- Information Disclosure Statements filed on 11/16/2005
- Request for Immediate Examination filed on 11/16/2005
- U.S. Basic National Fees filed on 11/16/2005
- Priority Documents filed on 11/16/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/557,247	PCT/GB04/01876	1454.1646

FORM PCT/DO/EO/905 (371 Formalities Notice)